

STATE OF CONNECTICUT
Regulation of Environmental Protection

Section 19-508-4. Regulations of Connecticut State Agencies Abatement of Air Pollution; and
Section 22a-174-4. Regulations of Connecticut State Agencies.

**Section 19-508-4. Source monitoring, record keeping, reporting and authorization
of inspection of air pollution sources**

(a) Source Monitoring.

(a) (1) The owner or operator of any air pollution source shall install, use, and maintain monitoring equipment, establish and maintain records, and make periodic reports as prescribed herein by the Commissioner.

(a) (2) In addition to the requirements of subsections (b) and (c), the Commissioner may require the owner or operator of any source to monitor continuously air pollutant emissions where he determines that equipment and methods for such monitoring are reasonably available. The Commissioner may determine that continuous monitoring of air pollutant emissions is not technologically feasible. In such cases, the Commissioner may require monitoring or intermittent stack testing of such source in whatever reasonable manner he determines to be necessary to demonstrate the source is in compliance with applicable regulations.

(a) (3) Nothing in subsections (a)(1) and (a)(2) shall be construed to require installation or use of monitoring devices or methods on any source for the purpose of determining compliance with applicable regulations when such source can be demonstrated, to the satisfaction of the Commissioner, to be physically incapable of violating such regulations.

(b) Smoke and Opacity Monitoring.

(b) (1) Effective on January 1, 1976 the owner or operator of any of the following sources shall install, maintain, and operate a smoke and opacity monitor approved in accordance with subsection (d)(1):

(i) Fuel-burning equipment burning coal;

(ii) Fuel-burning equipment burning liquid or solid fuels having a maximum rated heat input of two hundred fifty million (250,000,000) BTU per hour or more;

- (iii) Incinerators having a maximum rated input in excess of two thousand (2,000) pounds per hour;
- (iv) A process source that will emit in excess of twenty-five (25) pounds per hour of particulate matter as determined after the application of control equipment, when operated at maximum rated capacity.
- (v) Fuel-burning equipment no.6 residual oil.

(b) (2) The provisions of subsection (b)(1)(i) shall not apply to:

- (i) Any coal burning space heater which was installed in any single family home on or before May 1, 1975 provided only anthracite coal with a sulfur content of less than 0.75% by weight (dry basis) is used for fuel.
- (ii) Any coal burning equipment in a commercial establishment in regular operation on or before May 1, 1975 provided only anthracite coal with a sulfur content of less than 0.75% by weight (dry basis) is used for fuel and that less than seventy-five (75) tons per year is consumed.
- (iii) Any coal burning equipment used primarily for educational or historical demonstrations or exhibits. These sources shall include, but are not limited to, blacksmiths' forges, steam locomotives, and steamboats provided, however, that said sources do not burn fuel which contains sulfur in excess of one and one-half percent (1.5%) by weight (dry basis).

(b) (3) The provisions of subsections (b)(1)(iii) and (b)(1)(v) shall not apply to:

- (i) Standby fuel burning equipment which is used only to provide emergency heat or power and which operates not more than a total of one hundred sixty-eight (168) hours in any calendar year. The Commissioner may request such proof and reports of operations as he deems necessary.
- (ii) Gas turbines equipped with any smoke control apparatus which, in the Commissioner's judgment, is adequate to prevent visible discharge of an opacity greater than that designated as no. 1 on the Ringelmann chart, or 20% opacity.

(b) (4) The owner or operator of any source listed in subsection (b)(1) who on or before September 1, 1974 has installed and continues to properly operate a smoke and opacity detector and recorder not approved by the commissioner shall not be required to install a smoke and opacity monitor approved by the Commissioner

until January 1, 1985. The Commissioner may request such proof of date of purchase as he deems necessary.

- (b) (5) The Commissioner may revoke or modify an exemption under subsections (a)(3), (b)(2)(ii) and (iii), (b)(3) and (b)(4) if it is determined that repeated violations of subsection 19-508-18(a) or violations of any specific applicable conditions in these exemptions have occurred or if it is determined that operation of the source will prevent or interfere with the attainment or maintenance of applicable ambient air quality standards, create a health hazard or create a nuisance.

Section 22a-174-4.

(c) Record Keeping and Reporting.

- (1) The "Commissioner" may require the submission of any records or reports of monitoring data and other information as he deems necessary to fulfill the purpose and policies contained in these regulations. Such record keeping and reporting may be required of any "point source" of any "indirect source" of "air pollution". Records and reports required by the "Commissioner" concerning "air pollutants", fuels, and operational information shall be recorded, compiled, and submitted on forms furnished or prescribed by the "Commissioner". And shall be signed or verified in writing by a ranking corporate officer or managing official with offices located in the state. Such signature shall constitute personal affirmation that such officer has exercised due diligence in verifying the accuracy of the record or report and that, to the best of his knowledge and belief, the record or report is true complete, and complies fully with applicable state requirements. Such signature shall subject the responsible official to liability for false or misleading statements.

Section 19-508-4.

- (c) (2) Any monitoring data required of any source under subsection (a) or (b) of this section shall be kept current and in a form allowing easy inspection and shall be retained by the source for a period of three years.
- (c) (3) The owner or operator of any source described in subsection (b)(1) with the exception of fuel burning equipment having a maximum gross heat input capacity of less than two hundred fifty million (250,000,000) BTUs per hour, shall submit to the Commissioner on forms furnished or prescribed by him a report summarizing opacity monitoring data for the preceding three months. Such reports shall be due not later than thirty (30) days following the end of each calendar quarter.

Section 22a-174-4.**(d) Approved Monitors**

(d) (1) The “Commissioner” shall, from time to time, publish the design, performance, and installation specifications for an approvable smoke and “opacity” monitor. No smoke and “opacity” monitor shall be considered approved until the manufacturer has submitted evidence that the monitor meets all specifications required by the “Commissioner” and until an independent laboratory verifies that a randomly selected instrument or instruments representative of the instrument for which approval is sought, meets all specifications required by the “Commissioner”. The “Commissioner” reserves the right to disapprove any monitor and to revoke any previous approval if the “Commissioner” believes that the monitor will not, in fact, meet specifications.

(d) (2) Effective April 1, 1989 for those “stationary sources” which must meet the requirements of Appendix P of Title 40 Code of Federal Regulations Part 51 an approvable smoke and “opacity” monitor shall meet the design, performance and installation specifications in Performance Specification 1 of Appendix B of Title 40 Code of Federal Regulations Part 60 and the requirements in sections 3.4.1, 3.6, 3.7, 3.8, 4.1, 4.2, 4.4, 4.5 and 4.6 in Appendix P of Title 40 Code of Federal Regulations Part 51.

(A) In addition to the requirements of subdivision 22a-174-4 (d)(1), the owner or operator of any “stationary source” subject to the requirements of this subdivision shall calibrate such monitoring equipment.

(B) The information collected under this subdivision shall be used in determining compliance with the provisions of subdivision 22a-174-18(a)(1).

(C) In addition to the reporting requirements of subdivision 22a-174-4(c)(3), the owner or “operator” of any “stationary source” subject to the requirements of this subdivision shall submit the reports listed in Appendix P of Title 40 Code of Federal Regulations Part 51 and shall include information on the total process operating time of the equipment over the three (3) preceding months.

Section 19-508-4.**(e) Operation.**

(e) (1) Equipment as may be required pursuant to this section shall be maintained in operation at any time that the source is in operation.

- (e) (2) Except for necessary maintenance, no person shall deliberately shut down any monitoring device or method required under these regulations while the source being monitored is in operation or is emitting air pollutants.
- (e) (3) In the case of deliberate shut down or of a breakdown or failure of any monitoring device or method during which time the source will be in operation, all reasonable measures shall be taken to assure resumption of monitoring as soon as possible. In the event such shut down of monitoring equipment is expected, or may reasonably be expected, to continue for longer than 72 hours, and if the source is to be operated at any time during that period, the Commissioner shall be promptly notified in writing. Such notification shall specify the steps being taken to restore monitoring, the expected duration of the monitoring shut down, and the length of time that the source will be in operation during the shut down.
- (e) (4) Failure of any monitoring equipment in no way relieves the owner or operator of any source from the responsibility to comply with applicable air pollutant emission regulations or standards.
- (e) (5) It shall be a violation of these regulations to adjust or alter any monitoring device or method so as to falsify its readings or results.
- (f) Source Inspection.
 - (f) (1) The Commissioner or his designated agent, upon presentation of his credentials may:
 - (i) Enter at all reasonable times upon any public or private property, except a private residence, for the purpose of inspection and investigation to ascertain possible violations of these regulations, in accordance with constitutional limitations;
 - (ii) At reasonable times have access to records and may obtain copies thereof; and
 - (iii) At any reasonable time inspect any monitoring equipment or method and sample any emissions.